

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

D&F
C/F

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

X
Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

★ MAR 6 2006 ★

This Document Relates to: All Cases

MEMORANDUM & ORDER

BROOKLYN OFFICE

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**MEMORANDUM & ORDER APPROVING SET 94: 11 AWARDS, 5 AWARD AMENDMENTS
AND 26 AWARD DENIALS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL
PURSUANT TO ARTICLE 31(2) OF THE RULES GOVERNING THE CLAIMS RESOLUTION
PROCESS AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND**

KORMAN, C.J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order and in the Distribution Plan, Special Master Helen B. Junz, appointed by the Court to supervise the Claims Resolution Process with Special Master Michael Bradfield, is hereby requesting the Court's approval, pursuant to Article 31(2) of the Rules, of 11 Awards listed in Annex A, 5 Award Amendments listed in Annex B and of 26 Award Denials listed in Annex C to this Order, which have been certified by the Claims Resolution Tribunal (the "CRT") and the resources to pay these Awards through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount of these 11 Awards and 5 Award Amendments is US\$ 1,543,715.46 (SF 2,022,267.25 converted at a rate of 1.31 Swiss Francs per U.S. Dollar).

If the Court approves the ninety-fourth set and any previously submitted, but not yet approved sets, a total of 3,447 accounts, with a current value of US\$ 299,322,136.59, will have been awarded thus far under CRT I and CRT II combined. Under CRT II alone, including the Awards submitted with this letter, a total of 1,988 Awards for 3,240 accounts totalling US\$ 287,622,136.59, will have been made to Victims or Targets of Nazi Persecution making up the Deposited Assets Class, with the average Award

amounting to US\$ 133,750.28.¹ Under CRT I, which took place from 1997 through 2000, 207 accounts, with a value of US\$ 11.7 million, were awarded as accounts belonging to Victims of Nazi Persecution.

Furthermore, a total of 816 Certified Denials will have been approved under CRT II. In 736 of these 816 Denials, the CRT concluded that the Claimant was not able to identify his or her relative as the Account Owner, in 57 cases the CRT concluded that the Account Owner closed the account and received the proceeds him/her self, in 18 cases the CRT determined that the Claimant was not entitled to the Account Owner's account, and in 5 cases the CRT determined that the evidence submitted was insufficient to support the existence of a bank account belonging to the Claimed Account Owner.

As set forth in the Awards and as required by Article 31(3) of the Rules, the Certified Awards and the Certified Award Amendments shall be paid in full by the Special Masters after approval of such Awards by the Court.

Therefore, it is hereby

ORDERED that the attached 11 Awards and 5 Award Amendments are hereby approved for payment pursuant to Article 31(2) of the Rules;

ORDERED that for the payment of these 11 Awards and 5 Award Amendments certified by the CRT and approved by the Court, the Signatories of the Settlement Fund are hereby directed to transfer immediately US\$ 1,543,715.46 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account; and

ORDERED that the attached 26 Award Denials are hereby approved for release to the relevant Claimants.

It is further ordered that the Special Masters shall provide the Court with the name and address of every class member receiving an Award, Award Amendment or Award Denial, which information shall be filed with the Court under seal.

¹ Because the size of the Batch 75 award made it an outlier that would have skewed the results, it was not included in the calculation of the average values.

I will issue additional orders approving Awards certified by the CRT and transferring further sums from the Settlement Fund as the CRT certifies them to this Court.

Dated: Brooklyn, New York
February 13, 2006

SO ORDERED:

A handwritten signature in black ink, appearing to read "Edward R. Korman", written over a horizontal line.

Edward R. Korman
United States District Judge

CLAIMS RESOLUTION TRIBUNAL

[Batch XCIV] - Annex A - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of February 23, 2006 the following Awards for approval by the Court and payment by the Special Masters:

Account Owner Last Name and Claim Number		Award Amount (SFr.)
1.	David 784679/AX	49,375.00
2.	Fischer 210887/AX	172,875.00
3.	Gerson 401395/BW/AC	231,500.00
4.	Herzstein 207475/MBC	49,375.00
5.	Hoffmann, Emil and Adele 705397/AC	508,250.00
6.	Hoffmann, Jakob 000201/AX; et al*	49,375.00
7.	Israel 501549/MBC	339,204.75
8.	Rosenthal 771799/OW; 778008/OW	162,500.00
9.	Singer 219390/OW	49,375.00
10.	Strasburger 772985/AE	49,375.00
11.	Winter-Abusch 211012/MI	49,375.00
Total amount in Swiss Francs		1,710,579.75
Total amount in US Dollars ²		1,305,786.07

² Exchange rate as of 23 February 2006 of 1.31 Swiss Francs per U.S. Dollar.

CLAIMS RESOLUTION TRIBUNAL

[Batch XCIV] - Annex B - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of February 23, 2006 the following Award Amendments for approval by the Court:

Account Owner Last Name and Claim Number		Award Amount (SFr.)
1.	Dembinksa 002751/AX; 213077/AX	24,687.50
2.	Joseph 223157/MBC; 650026/MBC	5,187.50
3.	Roth 219458/AX; 650027/AX	105,937.50
4.	Winter 000640/AV; 002219/AV; 650022/AV	94,625.00
5.	Zaloscer 150030/MBC; 150031/MBC; 220334/MBC	81,250.00
Total amount in Swiss Francs		311,687.50
Total amount in US Dollars		237,929.39

CLAIMS RESOLUTION TRIBUNAL

[Batch XCIV] - Annex C - UNREDACTED
CONFIDENTIAL

Pursuant to Article 16 of the Rules Governing the Claims Resolution Tribunal, as amended, (the "Rules"), the Claims Resolution Tribunal hereby certifies as of February 23, 2006 the following Award Denials for approval by the Court:

1.	Ber. Katz 600015/WM	Identification
2.	Bernheim 205655/AK; et al	Disposition
3.	Bernstein 213251/SB; 600573/SB	Identification
4.	Chwat 001119/NP; et al	Disposition
5.	Chwat 204932/NP	Entitlement
6.	Gans 200367/MG	Identification
7.	Goldstein 214721/SB	Identification
8.	Hofmann 215092/SB; 220516/SB; 601173/SB ¹	Identification
9.	Klein, G. 222821/AV; 601491/AV	Identification
10.	Klein, Hedwig 600011/WM/SB	Identification
11.	König 600010/SB	Identification
12.	Kulka 207889/MBC	Identification
13.	Levy 217496/SB	Identification
14.	Lewin 221325/WM	Identification
15.	Neumann 207143/WM; 600949/WM	Identification
16.	Ortner 218477/SB	Identification
17.	Pollak, M.J. 601585/WM; 670023/WM	Identification
18.	Pollak, Moriz 600562/AV	Identification
19.	Schoenfeld 601653/WM	Identification
20.	Schönfelder 000274/AV	Identification
21.	Stein 601641/SB	Identification
22.	Stern, A. 210967/MBC	Identification
23.	Stern, Rosa 209666/AV	Identification
24.	Stern, Samuel 208009/OW; 600893/OW	Identification
25.	Strauss 600065/AV	Identification
26.	Weigl 213646/SB	Identification